

GRAND JURY 2004-2005

ROSTER

**KATHY DIANE GROVE
FOREPERSON**

KATHLEEN GRACE ABBOTT

JULIE GRAHAM

CAROLE L. AKIN

SANDRA LEE JOPSON

CAROL ANN BOYER

JO DEE KIM KAYLOR

PATRICK JAMES BURNS

TEE LEVERN MAGALONG

CAROLYN A. CHILDERS

RONALD DWIGHT MURDOCK

THOMAS J. CROWHURST

HERBERT BERNARD MYERS

JUDITH EGEBERT

JOHN ALLEN RAMSEY

ROBERT ANTHONY FISCHETTI

WILLIAM ARTHUR WADDELL

LARRY DON GARVIN

EDITH FAE YOUNG

PHOTOGRAPHS WERE TAKEN BY
JODEE TAYLOR AND RONALD MURDOCK

COMMITTEES

AUDIT

COUNTY GOVERNMENT

CRIMINAL JUSTICE

EDUCATION

FIRE & EMERGENCY

HEALTH, MENTAL HEALTH & SOCIAL SERVICES

PLANNING & ENVIRONMENT

TABLE OF CONTENTS

| | |
|---|------------|
| FINAL REPORT SIGNATURES | <i>i</i> |
| LETTER TO JUDGE | <i>ii</i> |
| ROSTER | <i>iii</i> |
| COMMITTEES | <i>IV</i> |
| TABLE OF CONTENTS | <i>V</i> |
| REPORTS | |
| <u>AUDIT</u> | |
| SUTTER COUNTY AUDITOR-CONTROLLER | 1 |
| <u>COUNTY GOVERNMENT</u> | |
| BOARD OF SUPERVISORS MEETING OBSERVATIONS | 4 |
| YUBA CITY COMMUNITY DEVELOPMENT | 7 |
| <u>CRIMINAL JUSTICE</u> | |
| LEO CHESNEY CORRECTIONAL FACILITY | 10 |
| SUTTER COUNTY SHERIFF'S DEPARTMENT | 13 |
| YUBA CITY POLICE DEPARTMENT | 15 |
| YUBA SUTTER JUVENILE HALL & MAXINE SINGER YOUTH GUIDANCE CENTER | 20 |
| <u>EDUCATION</u> | |
| ENCINAL SCHOOL | 24 |
| NO CHILD LEFT BEHIND ACT OF 2001 | 26 |
| <u>FIRE & EMERGENCY</u> | |
| MERIDIAN FIRE PROTECTION DISTRICT | 30 |
| <u>HEALTH, MENTAL HEALTH & SOCIAL SERVICES</u> | |
| CHILD PROTECTIVE SERVICES | 36 |
| HUMAN SERVICES | 38 |
| SUTTER-YUBA MENTAL HEALTH SERVICES | 42 |
| FREMEONT-REIDIOUT HEALTH GROUP | 45 |
| <u>PLANNING & ENVIRONMENT</u> | |
| YUBA CITY WATER TREATMENT PLANT | 47 |
| <u>SPECIAL REPORT</u> | |
| BOARD OF SUPERVISORS | 50 |

COUNTY GOVERNMENT

CRIMINAL JUSTICE

EDUCATION

FIRE & EMERGENCY

HEALTH, MENTAL HEALTH &
HUMAN SERVICES

PLANNING & ENVIRONMENT

SPECIAL NOTICE

ALL RESPONDENTS NAMED IN THIS REPORT, ARE REQUIRED TO RESPOND TO RECOMMENDATIONS WITHIN 60/90 DAYS OF THE RELEASE OF THIS REPORT TO THE PUBLIC.

SPECIAL AUDIT COMMITTEE

SUTTER COUNTY AUDITOR-CONTROLLER

INTRODUCTION

The Sutter County Grand Jury of 2004-2005 has been investigating the Sutter County Auditor-Controller's Office for the entire term. The friction and lack of cooperation between the Auditor-Controller and other Sutter County Departments, or Team Sutter, has caused a hardship on the working relationships of Sutter County. "Team Sutter" indicates the fluid working conditions within all Sutter County Departments. The Auditor-Controller's Office doesn't cooperate as a member of the team and continually works against the concept. One major point of contention is the unauthorized movement of funds by the Auditor-Controller. This problem has been ongoing for a number of years and has been investigated by prior Grand Jury panels without resolution.

SUMMARY

The Sutter County Grand Jury 2004-2005 has looked into the operations of the Auditor-Controller's Office and has discovered problems that indicate that there is great potential for harm to the taxpayers of Sutter County.

- The County may lose eligibility for Federal and/or State grants.
- The County's credit rating may decline.
- The Board of Supervisors are not being allowed to govern the County because their orders are not being implemented.

REPORT

During our yearlong investigation, we have discovered the following:

- Unauthorized transfer of \$336,485 to the Water Works District No. 1 Fund from the General Fund, General Reserve Account. The movement of funds out of the General Fund, General Reserve can only be done:
 - A. During the budget planning process and with 4/5 vote by the Board of Supervisors, or
 - B. If the Sutter County Administrator declares a state of emergency.
- This action, usurping the authority of the Board of Supervisors, changes public policy, and shifts the burden of the Robbins Water District to the entire county.
- The Auditor-Controller has refused to post journal entries to the Information Technology Department (IT), which are revenues owed by other departments within Sutter County to IT for services provided by IT. This action has a financial impact on the entire Sutter County.
- There has been an ongoing debate over rates set for the IT work, although the methodology has not changed, only the entity which sets the rates. The Auditor-Controller has not posted journal entries for earnings of the IT for some time, which recently resulted in his refusal to issue pay checks including direct deposits for the employees of IT in March of this year. The Auditor-Controller wanted to give the employees of IT registered warrants which are IOUs. The County Treasurer refused to do this.

The impact of the rates issue has the potential to affect the future Federal and State grant money status for other departments within Sutter County.

Departments that might be affected include:

1. Sutter County Welfare Department.
2. Sutter County Sheriff Department.
3. Sutter County Child Protection Department.
4. Sutter-Yuba County Mental Health Department.
5. Sutter County Road Department.

- There are no effectual communications between the Auditor-Controller's Office and the rest of Sutter County Government. The Auditor-Controller continues to ask for more information on bills that have been submitted for payment or on journal entries that are submitted for income, but when given all the information that the subject department has, he asks for more information without being specific on what information he needs. He continually sends e-mail communications to the departments at the last minute, which causes the staff to spend over-time to answer, subsequently using more taxpayers' money.
- We also found that the Auditor-Controller does not follow the instructions of the Board of Supervisors. Instead he operates independently, even when given direct orders to do a specific task. The Board of Supervisors are elected officials that we as taxpayers have designated to govern our County. They do have the legal right to direct the Auditor-Controller to do his duties, which are to follow the State and Federal laws governing that office.
- The Auditor-Controller Office does not have a policy and procedures manual.

FINDINGS

The 2004 – 2005 Sutter County Grand Jury, after a thorough investigation, has determined that the Auditor-Controller is not a cooperative member of Team Sutter, and is not performing his duties effectively as the elected Auditor-Controller. The ineffectual operation of the Auditor-Controller Office has cost Sutter County taxpayers a significant amount of money.

RECOMMENDATION

- We recommend that the Auditor-Controller become a participating member of Team Sutter, communicating with all Sutter County Departments in a professional manner.
- We recommend that the Auditor-Controller's Office prepare a policy and procedures manual to avoid problems in the future.
- We recommend that the transfer voucher document reflect fund department, program, and account numbers necessary to process journal entries, so both documents are reconciled.
- Furthermore, we recommend that Board of Supervisors split the Office of Auditor-Controller, with the Controller being a county appointed position, and the Office of the Auditor being an elected position.

RESPONDENTS

Board of Supervisors
Robert Stark, Auditor-Controller

COUNTY GOVERNMENT COMMITTEE

OBSERVATIONS OF BOARD OF SUPERVISOR MEETINGS

INTRODUCTION

The Grand Jury attends each Board of Supervisors meeting during the Grand Jury term. During these public meetings, open, frank exchanges occur between Supervisors and County employees, elected officials, and members of the public. Despite reminders by the Chairman of the Board of Supervisors to conduct all discussions in a professional manner, Sutter County's Board of Supervisors meetings have become rife with petty bickering and unprofessional behavior.

BOARD OF SUPERVISORS INFORMATION

Members of the Board of Supervisors serve as the legislative body for Sutter County and provide policy direction for all branches of County government. (Regular Board meetings occur each Tuesday evening at 7P.M. in Board Chambers at 466 Second Street, Yuba City, CA.)

Each of the five members represents an area of the County, known as a Supervisorial District, and is elected by the voters in that District to a four-year term. While the five Supervisorial Districts vary greatly in geographic size, they all have approximately the same population. The District boundaries are redrawn after each census to ensure an even distribution of the population.

The terms of the Supervisors overlap, with the voters electing a representative in Districts 1, 4, and 5 during Presidential election years and Districts 2 and 3 in State general election years. Similar to a corporate board of directors, but with broader powers, the Board of Supervisors sets policy for the County and its operation within guidelines established by State and federal laws and regulations.

The Board is responsible for enacting ordinances and resolutions, adopting the budget, levying taxes, and approving formal contracts and agreements. The Board of Supervisors also serves as the governing body for several special districts that provide water, sewer, and fire suppression services in the unincorporated areas.

All meetings of the Board of Supervisors are open to the public.

MISSION STATEMENT OF THE AUDITOR-CONTROLLER

Provide excellent fiscal and management services to and on behalf of the people of Sutter County and county government (constituents, Board of Supervisors, county departments, and other local governmental entities), as authorized by the laws of the State of California and ordinances of the County of Sutter.

SUMMARY

While attending the Board of Supervisors meetings each week, the members of the Grand Jury have noted the public expression of the long standing disputes between the County Administrator's Office and the County Auditor-Controller on one hand; and the Board of Supervisors and County Auditor-Controller on the other. The public controversy of rolls and functions has escalated to an unacceptable level, with each 'side' placing the blame on the other.

When the Auditor-Controller felt it necessary to take the county employees of the Information Technology Department off the payroll, including direct deposit, it was a clear sign that this dispute has crossed the line of appropriate professional behavior.

If that were not enough, the Board of Supervisors has behaved unprofessionally in open sessions. Political rivalries and harsh words bubble to the surface almost every week during board meetings.

REPORT

The Auditor-Controller's office is located at 463 Second Street, Yuba City, CA. The Information Technology Department is located in the same building. A change occurred regarding the responsibility for setting rates for services rendered by Information Technology to other county offices and outside agencies. In past years, the rates were set by the Auditor-Controller's office, but in 2004 the responsibility for these rate settings was passed to the County Administrator by vote of the Board of Supervisors.

In a separate matter, the newest elected member of the Board of Supervisors was unable to seat his appointed County Planning Commissioner because the other Supervisors disagreed with the appointment. The ensuing brouhaha made headlines and put the County in an unflattering light.

DISCUSSION

During 2004, the Auditor-Controller began rejecting journal entries for posting Information Technology charges. As a result, the Internal Service fund for Information Technology became insolvent and did not have the required funds to pay outstanding bills for charges it incurs. In the second week of March 2005, the Auditor-Controller decided to withhold payment of Information Technology salaries by checks or direct deposits. Registered warrants were generated for all of the employees. Under duress, the paychecks and direct deposits were prepared for the employees.

FINDINGS

When the Auditor-Controller felt it necessary to take the county employees of the Information Technology Department off the payroll, it was a clear sign that this dispute had crossed the line of appropriate professional behavior. California law and the integrity demanded of public officials prohibit the vindictive harassment of county employees in regard to timely payment of wages and salaries to 'make a point.'

RECOMMENDATIONS

- The Auditor-Controller, the Board of Supervisors, and the County Administrator must take action to work out their differences and find the common ground needed to do the County's work without resorting to despotic, arbitrary policies which result in continued discord.
- The Board of Supervisors must put aside the public display of friction and disagreement, adopt a professional attitude to rebuild Team Sutter, and do the public's business in an efficient and cost effective manner.

RESPONDENTS

Robert Stark, Auditor-Controller
Larry Combs, County Administrative Officer
Larry Montna, Supervisor, District 1

Dennis Nelson, Supervisor, District 2
Larry Munger, Supervisor, District 3
Jim Whiteaker, Supervisor, District 4
Dan Silva, Supervisor, District 5

COUNTY GOVERNMENT COMMITTEE

YUBA CITY COMMUNITY DEVELOPMENT

INTRODUCTION

While investigating a Citizen's Complaint, members of the Sutter County 2004-2005 Grand Jury, County Government Committee, met with the Community Development Director of Yuba City on 9/23/04, and the Human Resources Director of Yuba City on 9/14/04. The Committee inquired whether the City had manuals for procedures for internal control and employee guidance manuals. We were unable to review any manuals because there were no manuals or written procedures. We met with both Directors again on 1/27/05 to determine whether any progress on developing procedures had been made. We had been told that procedures were being written based on our concerns about the lack of manuals during our original meetings. Although there were still no manuals to review, some progress had been made in developing procedures.

COMMUNITY DEVELOPMENT MISSION STATEMENT

Create a distinctive and livable community through quality design, use of good site development and building standards, and efficient use of land and services. In so doing, provide everyone with professional and courteous service in a fair and timely manner.

SUMMARY

Yuba City Building Inspectors work normal daytime shifts but are called out after hours to conduct emergency inspections. A shortfall of procedural guidance was noted and corrected. In the course of the investigation, shortfalls in procedural and policy guidance were noted which could be corrected without major disruptions. Outside consultation may be required but is not necessarily indicated.

REPORT

The Community Development Department for the City of Yuba City, located at 1201 Civic Center Blvd., Yuba City, plans for and implements the growth and physical development of the City. This is done by working with the community to develop a 20-year general plan for the City which projects 100,000 residents, and overseeing private development from its inception as a plan through completion of building construction. Included in this Department are Planning and Building.

The Human Resources Department provides recruitment services for City positions, administers the Volunteer Program, oversees the compensation and benefit programs, coordinates the City's safety and risk management programs, and manages labor relations and other personnel matters. This Department has Personnel Rules and Regulations and Bargaining Unit Agreements. The Human Resources Department also is located at 1201 Civic Center Blvd. Yuba City, California 95993.

At the time of the Committee's inquiry into the operation of the Community Development Department, the Committee noted that several specific areas of the operation should be examined. There were no procedures, no accountability, no work standards and apparently limited supervision.

- City vehicles, used by personnel in the performance of their jobs, lacked a daily record, such as mileage, fuel usage and vehicle repair records.
- There was no standard of dress for the Building Inspectors, such as a uniform, so that inspectors can be easily identified while on the job.
- There was no specific control of an employee's time or location, while on the job.
- A written policy or employee guidance procedural manual was not available for review by the employee.

New procedures for the control of vehicle use and employee overtime claims have been adopted.

DISCUSSION

During the Committee's visit to the Yuba City Community Development Department and the Human Resources Department, the Committee inquired about the availability of copies of employee procedural manuals for the varied tasks of city employees. The Committee was told there is a desk "bible" (or one place reference) for transactions at the main counter for dealing with the public. It was pointed out that all department heads have college degrees (or equivalent experience) in the areas they supervise. The single reference manual described above was not provided to the Committee for inspection.

A discussion of the after hours building inspection situation was conducted and the Committee was shown copies of new procedural forms and guidance to employees to properly account for inspections. The documentation is sufficient to cover the shortfall in this area.

FINDINGS

In the specific area of building inspections after hours, the City has in place new procedures that should account for vehicle use and employee overtime claims. Without a complete audit of the City's procedures, the Committee did not feel the scope of its inspection should be widened to ascertain all the possible shortfalls in the area of employee policy and procedural guidance. It may be fruitful for succeeding grand juries to revisit specific areas of Yuba City government to ascertain what areas of guidance and policy need to be addressed most expeditiously. Citizen complaints can be most helpful in this regard.

RECOMMENDATIONS

1. An efficiency audit should be made of the Community Development Department, whether conducted internally or by an outside consultant.
2. An employee procedural manual should be made available to all employees in that Department, adherence to which is mandatory.
3. Building inspectors should wear a uniform or external identifying credential while on the job.

RESPONDENTS

Jeff Foltz, City Administrator

Denis Cook, Community Development Director

Steve Johnson, Human Resources Director

CRIMINAL JUSTICE COMMITTEE

LEO CHESNEY CORRECTIONAL FACILITY

INTRODUCTION

Members of the Sutter County Grand Jury Criminal Justice Committee, conducted an on-site visit to the Leo Chesney Correctional Facility located in Live Oak, California on January 11, 2005. Committee members interviewed Ron Murray, Facility Director and Paula Ford, Program Director. The Directors also gave members a tour of the facility.

MISSION STATEMENT

“The Program Goal of the Facility is to provide inmates with a secure, clean environment in which they have the opportunity to participate in a variety of education, vocational, and recreational activities designed to prepare them for successful living after incarceration comprehensive course work to improve basic educational, occupational, and social skills are offered. The California Department of Correctional (CDC) stated educational goal is to prepare inmates for parole with skills and attitudes that prevent their return to the prison system.”

SUMMARY

The Criminal Justice Committee was pleased with the overall operation of the Leo Chesney Correctional Facility (LCCF). The Center is very well maintained, organized, and operated.

REPORT

Leo Chesney Correctional Facility is the only privately operated women’s minimum-security prison in the State of California and is the only women’s prison in Northern California. Located in the City of Live Oak, it sits on ten acres and is comprised of seven buildings. There are currently 202 inmates with a facility capacity of 220. The staff consists of 38 employees, of which 19 are correctional officers, one Lieutenant and five Sergeants. Placements of inmates are contracted through the California Department of Correction. The average stay for inmates is between four to six months left of their sentence, with a maximum of 18 months.

The annual operating budget of the facility is in excess of \$3,000,000. The Center employs one full time nurse and one on-call Doctor that visits one day per week

DISCUSSION

The CDC supports academic and vocational education programs. Services at the Center include basic education and GED prep, pre-release programs, a library, recreational and physical education, and hobby crafts. All inmates are required to take the test of Adult Basic Education (TABE), and if found to test lower than a sixth grade, must attend school provided on-site at the facility. The LCCF offers a wide variety of programs. Some programs are funded and managed jointly with outside agencies, and others are managed solely by outside sources.

Pre-Release

Pre-release is thirty day voluntary classroom program established to assist inmates in developing objectives and formulating plans to implemented upon their release. Topics include domestic violence, co-dependency, self-esteem, anger management, and job search and interview skills to name only a few. Breaking barriers is one of the most

important aspects of the program. The training is designed for those who face the challenge of overcoming a substance abuse problem or addiction. The program also offers a Yuba College parenting class that meets court-mandated parenting skills requirements, and earns college credits.

Moral Recognition Therapy (MRT)

This program enables the participants to gain self-esteem, set goals, develop life skills, think positively, and evaluate their moral reasoning. The 12-step program is available on a voluntary basis. It is designed to alter how offenders think and make judgments and decisions about what is right or wrong with their behaviors and attitudes.

Prison Preventers

The program enables inmates to travel to local Schools, Probation Departments, Juvenile Halls, Community Colleges, and Universities. Individuals participate on a voluntary basis, telling their stories of alcohol and drug abuse and related crimes in hopes of deterring others from making the same mistakes.

Education

Adult Basic Education (ABE) is required for those testing below a sixth grade level. Subjects include Math, Language, Arts, Science, and Social Studies. Once an inmate demonstrates proficiency in these subjects, they are tested and must score at a seventh grade level before they can be reassigned.

English as a second language is offered. Approximately one fourth of all inmates are Hispanics with limited or no English skills. The same subjects are taught as in ABE, with a bilingual tutor.

General Equivalency Degree (GED) inmates testing above a sixth grade level, without High School diplomas are given the opportunity to enroll in the GED class. A program is developed specifically for their individual needs.

LCCF is a satellite campus for Yuba Community College. On-site as well as tele-courses are offered each term. Approximately 100 inmates attend an average of three courses, which are free to inmates

Several service programs are made available to inmates that wish to participate, including Religious Services, Narcotics Anonymous, and Alcoholics Anonymous. Recreation and hobby crafts also are available covering a wide variety of sports and activities supervised by a part-time Recreation Coordinator.

The Facility has a work incentive program that requires all inmates to work. They learn basic job skills and develop good work habits and attitudes that will help in finding employment upon release. Inmates receive minimal pay, and work in areas of City Services such as Park and Recreation maintenance as well as Caltrans projects.

FINDINGS

The staff and programs offered at LCCF are all positive in direction to help inmates have a higher self-regard, to believe in a positive future, and to present employment options through education and training. The programs are designed to promote self-sufficiency and to return inmates to their communities as productive and responsible members.

RECOMMENDATION

The Grand Jury recommends Leo Chesney Correction Facility in conjunction with the California Department of Correction, establish a tracking program, which will enable them to determine how effective their programs are in relation to repeat offenders. This will allow for any future changes that may be necessary to better prepare inmates to successfully return to society.

RESPONDENT

Ron Murray, Facility Director, Leo Chesney Correctional Facility

CRIMINAL JUSTICE COMMITTEE

SUTTER COUNTY SHERIFF'S DEPARTMENT

INTRODUCTION

The members of the Criminal Justice Committee of the Sutter County Grand Jury took a tour of the Sutter County Sheriff's Department on 12/8/04. The Committee met with Chief Denny, Under Sheriff Grove and Captain Skinner, who assisted us with the on-site inspection of the facility.

We also were provided with the Board of Corrections Response to the 2003-2004 Grand Jury Report, State Fire Marshall Report (03/22/04) and the Standards and Training for Corrections Program (FY 2002-2003).

REPORT

Operations

The Department is broken down into four divisions: Patrol Division, Detective Division, Jail Division and Support Services Division.

- The Patrol Division, covering road patrol, boat patrol and Live Oak, has one Division Commander, six Sergeants and 36 Deputies.
- The Detective Division, covering investigations and coroner services, has two Sergeants and six Deputies.
- The Jail Division, covering the Jail and the Bailiffs, has one Division Commander, one Lieutenant, five Sergeants, and 46 Correctional Officers.
- Support Services Division, covering communications and records, has one Division Commander, one Sergeant and four dispatch supervisors.

Training and Education

The Standards and Training for Corrections (STC) requires a minimum of 24 hours of training annually (California Code of Regulations Title 15, Section 318) for correctional officers. The Commission on Peace Officer Standards and Training (POST) mandates 24 hours of training every two years for the patrol and detective personnel.

The Department has a full-time Sergeant who coordinates all inspections with POST and STC to assure that the Department is in compliance at all times. Both governing bodies monitor the training files on an annual basis. "...your agency has met program compliance in accordance with the regulations and STC Program policies and procedures. Congratulations on successfully completing this program cycle." (Board of Corrections, October 17, 2003)

Special Enforcement Detail

The Special Enforcement Detail (SED) responds to any tactical issue within their jurisdictional area. There is now a ten-member team including three negotiators.

This Detail has already exceeded the 16 hours a month of minimum training standards recommended by the State of California. The team responds to tactical calls on an average of about one situation a month.

FINDINGS

The Sheriff's Department is a well-run organization. All Sutter County residents should appreciate the Department's attention to community service.

RESPONDENTS

Sheriff Jim Denny, Sutter County Sheriff's Department
Under Sheriff, Bill Grove, Sutter County Sheriff's Department
Captain Dearle Skinner, Sutter County Sheriff's Department

CRIMINAL JUSTICE COMMITTEE

YUBA CITY POLICE DEPARTMENT

INTRODUCTION

On October 6, 2004, members of the Criminal Justice Committee of the Sutter County Grand Jury (2004-2005) conducted an on-site inspection of the Yuba City Police Department (YCPD) located at 1545 Poole Blvd., Yuba City.

The Committee met with Chief Doscher and members of his staff. Chief Doscher led us on a tour through the facility and provided us with a copy of the Department's 2003 Annual report.

On October 18, 2004, members of this Committee returned to the YCPD to inspect the facility's holding cells.

MISSION STATEMENT

"While exercising principles of ethical behavior, reflecting positive values and respecting the constitutional rights of all we encounter-we work in partnership with the community toward the goals of protecting life and property, solving neighborhood problems and enhancing the quality of life in our city." (2003 Annual report, pg. 7)

SUMMARY

The Criminal Justice Committee talked with Chief Doscher about the need for patrol officers' being added to the Department due to annexation, the affects of gangs in our community, and the continuing education of all officers within the YCPD.

REPORT

Patrol Operations

Patrol is the single largest unit within the Police Department. The unit consists of fifty-four sworn officers, two Lieutenants and three Sergeants. *‘There is a minimum of five police patrol vehicles on the street at any one time; however, with Traffic Enforcement Units and Crime Scene Investigators, that number could rise to nine or ten during certain time periods.’* (2003-2004 YCPD Response, pg.1, sub.1). In addition, there are the citizen volunteers that participate in the Volunteers in Policing (VIP) and the Cadet Officers programs.

An integral part of the patrol operation is the Special Weapons and Tactics (SWAT) team. The Yuba City Metro S.W.A.T. is a multi-agency made up of officers from the Yuba City and Marysville Police Departments and the Yuba City Fire Department. The team’s function is to provide tactical support, and to respond to and manage high-risk events and high risk warrant services as they occur in Yuba City, Marysville, Beale Air Force Base and other surrounding areas when called upon to assist. By the time of our visit, the team had responded to approximately twelve calls since January 2004.

Gangs

Chief Doscher relayed to us a few statistics on gang related activity:

1. There have been 41 gang related arrests.
2. Most gang members live in the local area.
3. Most gang activity is driven by the illegal drug culture, with involvements in stolen property.
4. Some of the most recent violent crimes in our area are retaliation (shootings) between rival gang members.

‘The Investigating Unit of the YCPD assisted in investigating numerous gang related shootings, as well as weapons violations, parole and probation violations related to local gang members and their affiliates. These gang related events prompted the Investigations Unit, along with YCPD’s Crime Analysis, Patrol and School’s Units to implement training directed enforcement and the addition of technology to aid in the identification and prosecution of criminal street gang members.’ (2003 Annual report, pg. 24)

‘...the Department also began using the State’s gang intelligence database called CalGang. This set the stage for the formulation of a multi-agency, information sharing task force to address the increase in gang activity within the community.’ (2003 Annual Report pg.18) CalGang is a State data base which tracks known gang members in California and in the nation. The Bi-County Gang Task Force was assembled in 1994 and includes all local jurisdictions.

The Police Department has implemented several programs to help enlighten the public on gangs and gang activity. One of these is the Community Presentation Program that is organized to work with families, providing information on the behavioral signs to identify possible gang involvement. The other is the Adopt-a-School Program that is designed for officers to have direct contact and a personal relationship with the students at local schools through various activities. This program also gives the officers a chance to talk to students and make them aware of the many dangers of gang involvement.

Training and Education

Police Officers Standards and Training (POST) Commission of California require twenty-four hours of additional training in a twenty-four month period. All officers of the Department exceed this mandatory requirement.

Of the fifty-four sworn officers of the YCPD, thirty have Associates degrees, fifteen have Bachelors degrees, four have Masters degrees, and nine officers are currently pursuing a Masters Degree. Officers also may receive advanced training through the Federal Bureau of Investigations (one officer was currently enrolled at the time of our visit) or other specific law enforcement agencies to help reinforce their value to their job, the YCPD and to the community.

Budget

The Department's budget for 2003-2004 was \$7,280,415 that represented 30% of the total budget for Yuba City (see attachment). With the increase of population within the city limits (approx. 10,241), the Department added ten patrol officers, one investigator and one community officer which increased the budget \$640,901 over 2002's budget. Future plans include the addition of 10 officers to cover the recently acquired areas of annexation.

Megan's Law

The Department is preparing the Megan's Law database for access via the Internet by June 2005.

FINDINGS

The Yuba City Police Department appears to be a well-organized department, with equal emphasis placed on the protection, education and involvement of the public now and in the future.

RECOMMENDATIONS

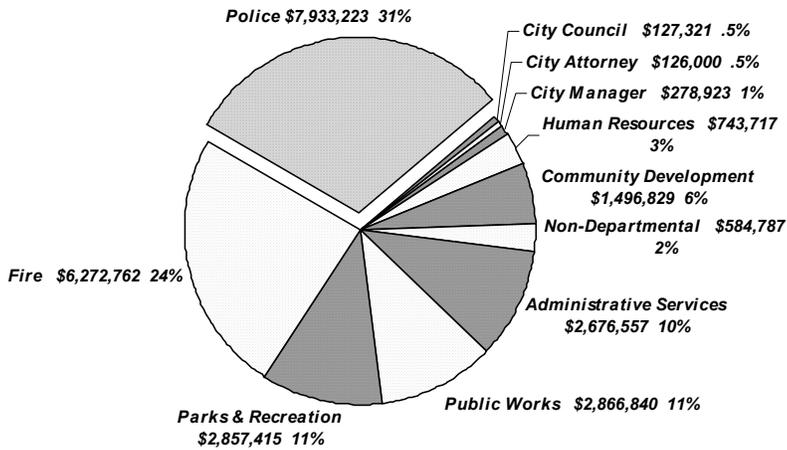
The detention holding area contains employee panic alarms placed in strategic areas around the room. While this is obviously an excellent safety device, this committee feels that the addition of a voice-activated light placed in the dispatch area would be beneficial.

RESPONDENTS

Chief Richard Doscher, Yuba City Police Department
City Council of Yuba City

CITY OF YUBA CITY BUDGET

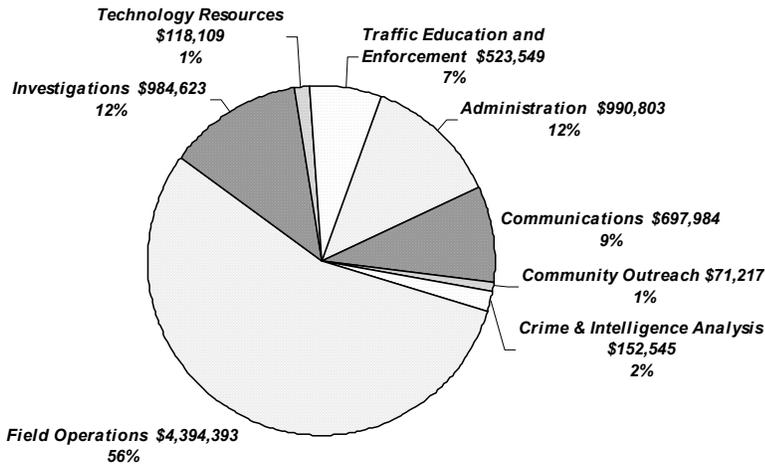
FISCAL YEAR 2004/2005



As you can see from the City of Yuba City budget chart above, Police represents the largest of any department budget within our city government, requiring almost one-third of the city's budget. Much of the department expense is associated with personnel costs required to staff an effective agency 24 hours a day, 7 days a week.

YUBA CITY POLICE BUDGET

FISCAL YEAR 2004/2005



The Police budget includes all expenses required to provide 24-hour community protection and response to citizen's concerns and requests as indicated in the chart above. The largest budget area within the Department is Field Operations which includes all costs associated with Patrol. The Administration budget also includes the operations for the Police Records Unit and a debt payment of approximately \$500,000 per year on the police department building.

CRIMINAL JUSTICE COMMITTEE

YUBA-SUTTER JUVENILE HALL & MAXINE SINGER YOUTH GUIDANCE CENTER

INTRODUCTION

On Jan. 25, 2005, members of the Criminal Justice Committee and other members of the Sutter County Grand Jury (2004-2005) conducted an on-site interview with Frank Sorgea, the Superintendent of the Yuba-Sutter Juvenile Hall and the Maxine Singer Youth Guidance Center at the facility located in Marysville, Yuba County. During the meeting, Mr. Sorgea discussed in detail his personal beliefs in the problems with today's youth.

On Jan. 31, 2005, the members of this Committee returned and toured the facility.

MISSION STATEMENT

Provide protection for the public through lawful detention of minors accused of violating the law who are pending further disposition by the Court. To provide meaningful programs directed toward the reintegration of minors into the community following detention.

SUMMARY

The Criminal Justice Committee spoke to Mr. Sorgea about the advancements that had been made in the community by realizing that rehabilitation not only has to start with the juvenile, but in the home as well. New programs, implemented at the facility, focus on the rehabilitation and teaching of life skills of family members, not just the inmate.

He has seen the numbers of troubled youths steadily decline over the past several years and feels that the reduction is due in part to the intervention and prevention by educators and law enforcement personnel.

REPORT

Staff Objectives

1. Keep minors securely housed.
2. Provide safe and healthy environment for minors and staff.
3. Operate facility in lawful manner.
4. Facilitate the re-socialization of committed minors.

Operations

The Yuba Sutter Juvenile Hall is a joint effort by Yuba and Sutter Counties with an annual budget of just over \$3,000,000.00. The budget is subsidized by the acceptance of juveniles from the surrounding counties of Colusa, Placer, Glenn, Amador and Lassen. Fees are paid by Yuba and Sutter Counties based on the percentage of inmate population from each county. All other counties pay a flat fee for each inmate housed at the facility.

Inmate Origination and Reason for detention First Quarter FY 2004-2005

| Reason Detained | Yuba | Sutter | Colusa | CYA | Placer | Glenn | Amador | Lassen | Total |
|---------------------|------|--------|--------|-----|--------|-------|--------|--------|-------|
| Pending Placement | 3 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 3 |
| Court commitments | 406 | 607 | 15 | 0 | 0 | 0 | 0 | 0 | 1028 |
| Weekend commitments | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Pending court | 830 | 565 | 74 | 0 | 0 | 0 | 0 | 0 | 1469 |

| | | | | | | | | | |
|------------------------------|-------------|-------------|-----------|----------|-----------|----------|----------|----------|-------------|
| Pending delivery to CYA | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Prob. Violations (Non-court) | 195 | 317 | 0 | 0 | 0 | 0 | 0 | 0 | 512 |
| Tempory releases | 46 | 17 | 0 | 0 | 0 | 0 | 0 | 0 | 63 |
| Camp Singer | 817 | 697 | 0 | 0 | 22 | 0 | 0 | 0 | 1536 |
| Furlough | 134 | 43 | 0 | 0 | 0 | 0 | 0 | 0 | 177 |
| Pending Camp Singer | 8 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 8 |
| Total Child Care Days | 2439 | 2246 | 89 | 0 | 22 | 0 | 0 | 0 | 4796 |

Population Change during First Quarter FY 2004-2005

| | Yuba | Sutter | Colusa | CYA | Placer | Glenn | Amador | Lassen | Total |
|---------------------------------|------|--------|--------|-----|--------|-------|--------|--------|-------|
| Admission During QTR | | | | | | | | | |
| Male | 37 | 53 | 3 | 0 | 1 | 0 | 0 | 0 | 94 |
| Female | 12 | 18 | 0 | 0 | 0 | 0 | 0 | 0 | 30 |
| Released During QTR | | | | | | | | | |
| Male | 30 | 45 | 5 | 0 | 0 | 0 | 0 | 0 | 80 |
| Female | 15 | 16 | 0 | 0 | 0 | 0 | 0 | 0 | 31 |
| Population at End of QTR | | | | | | | | | |
| Male | 24 | 19 | 0 | 0 | 1 | 0 | 0 | 0 | 44 |
| Female | 7 | 6 | 0 | 0 | 0 | 0 | 0 | 0 | 13 |

End of First Quarter Population FY 2004-2005

| Reason Detained | Yuba | Sutter | Colusa | CYA | Placer | Glenn | Amador | Lassen | Total |
|------------------------------------|-----------|-----------|----------|----------|----------|----------|----------|----------|-----------|
| Pending Placement | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Court commitments | 7 | 6 | 0 | 0 | 0 | 0 | 0 | 0 | 13 |
| Weekend commitments | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Pending court | 12 | 8 | 0 | 0 | 0 | 0 | 0 | 0 | 20 |
| Pending delivery to CYA | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Prob. Violations (Non-court) | 2 | 3 | 0 | 0 | 0 | 0 | 0 | 0 | 5 |
| Tempory releases | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Camp Singer | 9 | 6 | 0 | 0 | 1 | 0 | 0 | 0 | 16 |
| Furlough | 1 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 3 |
| Pending Camp Singer | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total End of QTR Population | 31 | 25 | 0 | 0 | 1 | 0 | 0 | 0 | 57 |

Inmate Origination and Reason for detention Second Quarter FY 2004-2005

| Reason Detained | Yuba | Sutter | Colusa | CYA | Placer | Glenn | Amador | Lassen | Total |
|------------------------------|-------------|-------------|-----------|----------|------------|----------|----------|----------|-------------|
| Pending Placement | 191 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 191 |
| Court commitments | 371 | 655 | 0 | 0 | 0 | 0 | 0 | 0 | 1026 |
| Weekend commitments | 4 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 4 |
| Pending court | 1026 | 855 | 10 | 0 | 0 | 0 | 0 | 0 | 1891 |
| Pending delivery to CYA | 18 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 18 |
| Prob. Violations (Non-court) | 109 | 122 | 0 | 0 | 0 | 0 | 0 | 0 | 231 |
| Tempory releases | 18 | 5 | 0 | 0 | 1 | 0 | 0 | 0 | 24 |
| Camp Singer | 406 | 669 | 0 | 0 | 370 | 0 | 0 | 0 | 1445 |
| Furlough | 66 | 73 | 0 | 0 | 0 | 0 | 0 | 0 | 139 |
| Pending Camp Singer | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total Child Care Days | 2209 | 2379 | 10 | 0 | 371 | 0 | 0 | 0 | 4969 |

Population Change during Second Quarter FY 2004-2005

| | Yuba | Sutter | Colusa | CYA | Placer | Glenn | Amador | Lassen | Total |
|-----------------------------|------|--------|--------|-----|--------|-------|--------|--------|-------|
| Admission During QTR | | | | | | | | | |
| Male | 49 | 56 | 1 | 0 | 6 | 0 | 0 | 0 | 112 |
| Female | 22 | 10 | 1 | 0 | 2 | 0 | 0 | 0 | 35 |
| Released During QTR | | | | | | | | | |
| Male | 53 | 50 | 1 | 0 | 1 | 0 | 0 | 0 | 105 |
| Female | 25 | 9 | 1 | 0 | 0 | 0 | 0 | 0 | 35 |

| | | | | | | | | | |
|---------------------------------|----|----|---|---|---|---|---|---|----|
| Population at End of QTR | | | | | | | | | |
| Male | 17 | 18 | 0 | 6 | 0 | 0 | 0 | 0 | 41 |
| Female | 2 | 7 | 0 | 2 | 0 | 0 | 0 | 0 | 11 |

End of Second Quarter Population FY 2004-2005

| | | | | | | | | | |
|------------------------------------|-------------|---------------|---------------|------------|---------------|--------------|---------------|---------------|--------------|
| Reason Detained | Yuba | Sutter | Colusa | CYA | Placer | Glenn | Amador | Lassen | Total |
| Pending Placement | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 |
| Court commitments | 1 | 6 | 0 | 0 | 0 | 0 | 0 | 0 | 7 |
| Weekend commitments | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Pending court | 13 | 8 | 0 | 0 | 0 | 0 | 0 | 0 | 21 |
| Pending delivery to CYA | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Prob. Violations (Non-court) | 0 | 3 | 0 | 0 | 0 | 0 | 0 | 0 | 3 |
| Tempory releases | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Camp Singer | 2 | 10 | 0 | 8 | 0 | 0 | 0 | 0 | 20 |
| Furlough | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Pending Camp Singer | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total End of QTR Population | 17 | 27 | 0 | 8 | 0 | 0 | 0 | 0 | 52 |

Juvenile Hall Population Report by %

| | Yuba | Percent Change | | Sutter | Percent Change | | Other | Percent Change | | Total | Percent Change | |
|--------------------------|-------------|----------------|-----------|-------------|----------------|-----------|------------|----------------|-----------|-------------|----------------|-----------|
| | | This Year | Last Year | | This Year | Last Year | | This Year | Last Year | | This Year | Last Year |
| Child care days | | | | | | | | | | | | |
| 1 st Qtr | 2439 | 0% | 6% | 2246 | -26% | -39% | 111 | -22% | 13% | 4796 | -15% | -21% |
| 2 nd Qtr | 2209 | -9% | 28% | 2379 | 6% | -28% | 381 | 243% | 989% | 4969 | 4% | -2% |
| Totals | 4648 | | | 4625 | | | 492 | | | 9765 | | |
| Admissions | | | | | | | | | | | | |
| 1 st Qtr | 49 | -29% | -36% | 71 | 1% | 4% | 4 | -60% | -60% | 124 | -17% | -20% |
| 2 nd Qtr | 71 | 45% | 15% | 66 | -7% | 12% | 10 | 150% | 43% | 147 | 19% | 15% |
| Totals | 120 | | | 137 | | | 14 | | | 271 | | |
| Percentage of use | | | | | | | | | | | | |
| 1 st Qtr | 51% | | | 47% | | | 2% | | | | | |
| 2 nd Qtr | 44% | | | 48% | | | 8% | | | | | |
| Ratio Yuba/Sutter | | | | | | | | | | | | |
| 1 st Qtr | 52% | | | 48% | | | | | | | | |
| 2 nd Qtr | 48% | | | 52% | | | | | | | | |

Staff Training

The Yuba-Sutter Juvenile Hall staff participated in the Standards and Training for Corrections Program (STC) during the 2003-2004 fiscal year. This participation expresses the Department's intent to select and train corrections staff according to statewide, professional standards. In August 2004, the State Board of Corrections conducted an on-site review of the Department's training records. At the time of the review, the Department had 32 STC eligible staff (1 Superintendent, 2 Deputy Superintendents, 4 Supervisors and 25 Juvenile Corrections Officers). There were four vacancies.

All eligible staff met or exceeded the minimum training standards as set forth by the State Board of Corrections. Eight newly hired officers completed the Juvenile Corrections Officer Core Training, and three supervisors completed the Supervisor Core Course.

The Deputy Superintendent of Institutions serves as the training manager. Due to scheduling issues, the agency has begun utilizing in-house training to meet STC training standards.

There is close communication among the management team and line staff to identify training needs and opportunities. Training is selected based upon high liability areas in the Juvenile Hall and on individual and organizational needs. Records document that staff received certified training in Management of Assaultive Behavior, Population

Movements/Safety and Security within Juvenile Facilities, Leadership, Booking Orientation and Intake Training, Due Process Training, OC Training, and Hostage Survival and Negotiation Techniques for Corrections Staff.

For the current year, plans mirror the effort just completed. The training manager plans to develop more Intensified Format Training (IFT) courses to meet the needs of staff and the agency.

FINDINGS

The Yuba-Sutter Juvenile Hall appears to be a well-organized department, with a core belief that they can make a difference.

RECOMMENDATION

None

RESPONDENTS

Frank Sorgea, Superintendent Bi County Juvenile Hall
Chris Odom, Chief Probation Officer, Sutter County
Steve Roper, Chief Probation Officer, Yuba County
Presiding Judge of Juvenile Court Yuba County
Presiding Judge of Juvenile Court Sutter County

EDUCATION COMMITTEE

ENCINAL SCHOOL

INTRODUCTION

The Grand Jury of 2003-04 recommended that the current Grand Jury Education Committee re-visit the Encinal School in the Live Oak School District. The 2004-05 Grand Jury Education Committee visited Encinal School on November 9, 2004. The school is located south of Live Oak at 6484 Larkin Road and is the K-8 school of 80 students.

SUMMARY

The Sutter County Grand Jury Education Committee found the school to be well run, clean, orderly and secure within the grounds. The recommendations of the 2003-2004 Grand Jury have been acted upon. The kitchen is well staffed, clean and efficiently run. The storage building is secure and in view of the office staff at all times. The playground is still in need of repair with cracks running the length and breadth of the asphalt.

Larkin Road remains a deep concern to the 2004-2005 Grand Jury. The speed and apparent disregard of traffic around the K-8 school is very troublesome and appears to be an accident just waiting to happen.

REPORT

The 2003-04 Grand Jury made several recommendations regarding the school kitchen and food preparation pursuant to California Health and Safety Code, Section 114020 (a) and (b). The 2003-04 Grand Jury also made recommendations concerning the Library and the need to repair the asphalt on the school playground as well as the lack of security of a storage shed on the premises.

FINDINGS

At the time of the Education Committee visit, the kitchen was spotlessly clean, and the cook and a trainee were both wearing hairnets and had gloves readily available to use when lunch was served pursuant to California Health and Safety Code, Section 114020 (a) and (b). No open food containers were observed. The luncheon being prepared was nutritious and the serving methods were organized. The Encinal School cook prepares food for Nuestro School as well as Encinal students and faculty in a very small kitchen.

The Library at Encinal School is a multi-purpose room. It is used primarily as a library but also as a teacher's workroom and a GATE (Gifted and Talented Students) classroom. Many books were visible on the shelves, and all classrooms systematically use the library. The library was well laid out to accommodate its many uses.

The Grand Jury found the asphalt on the playground is still severely cracked and in need of repair. The Grand Jury was assured that every effort is being made to secure funding to re-surface the playground.

The storage building mentioned in the 2003-2004 Grand Jury report was clean, orderly and within clear view of office staff for security purposes.

The 2004-05 Grand Jury is deeply concerned about the traffic on Larkin Road. The committee observed cars and large trucks exceed the posted speed limit within the school boundaries of twenty-five (25) miles per hour, indeed some cars and trucks seemed to our observation to exceed the fifty-five (55) miles per hour speed limit of Larkin Road beyond the school boundaries. Although signs are posted to announce a school zone, the committee did not observe traffic slowing at all. Although resourceful and diligent, efforts of the school principal, teachers and parents have had little impact on the problem.

RECOMMENDATIONS

- The asphalt on the playground should be repaired as soon as funding becomes available.
- The 2004-2005 Grand Jury recommend better enforcement of speed limits by Sutter County Sheriff's Department during the time school is in session and that the school and parents continue to work together to have the California Highway Patrol reduce the speed limit of that section of Larkin Road where Encinal School is located. The 2004-05 Grand Jury recommends immediate steps to be taken by the Sutter County Sheriff's Department and the California Highway Patrol before a very avoidable tragedy occurs.

RESPONDENTS

Steven Hiscock, Live Oak Unified School District.
California Highway Patrol
Sutter County Sheriff's Department

EDUCATION COMMITTEE

NO CHILD LEFT BEHIND ACT OF 2001

INTRODUCTION

The 2004-05 Grand Jury Education Committee has investigated the impact of the Federal Government's *No Child Left Behind Act of 2001* and its effect on the Sutter County Schools. In this endeavor, we have visited Bridge Street School, Andros Karperos School, and talked with many teachers and administrators in the Yuba City Unified School District. We also visited Encinal School in the Live Oak School District as well as interviewed the Assistant Superintendent of Sutter County Schools

SUMMARY

The *No Child Left Behind Act of 2001* (NCLB) is an educational reform act designed to improve all student achievement, promote accountability of schools and school districts by testing all students with a multiple choice test in Reading and Math in Grades 3 through 8 and at least once during Grades 10 through 12 with a writing component added in 2004, and to provide parents with objective data on their child's academic standing. A multiple choice Science test will be added this year. The NCLB also gives parents the flexibility to remove their children from under performing schools to those that are performing at a higher level, and to provide tutoring to those students whose scores are low. The test used by Sutter County Schools is the California Standards Test, which was introduced in 1999 under a California Education Reform Act. California has based a school's performance on a growth model wherein schools should show growth each year depending on where each school started. The NCLB model has definite benchmarks or goals each year regardless of the level from which a school has started. The committee found that the Federal benchmarks seem to punish the very schools the law was designed to help, especially those schools with a diverse population, diverse languages, and students from socioeconomic disadvantaged families.

REPORT

- Sutter County Schools has a diverse student population with many languages spoken in the homes of students. The three major languages used in the County Schools are English, Spanish and Punjabi.
- Sutter County Schools have many students who come from socioeconomic disadvantaged homes, and many students with learning disabilities as well as different ethnicities. These groups are all considered subgroups along with all the students who come from homes where English is not the first language. The NCLB benchmarks must be met regardless of these disadvantages.
- All schools must have at least 95% participation on the tests from all the different subgroups as well as the school population as a whole. Some Sutter County schools have the potential to have as many as six (6) subgroups in each grade level. Although California has a system in which parents can "opt-out" their children from the test, the subgroup into which the students are classified is considered under represented as well as the whole school, if the participation level is below 95 percent.
- The above rule appears to penalize high schools with a high population of college bound students because these students often "opt-out" in favor of taking the SAT college exam. If this happens, and the school falls below the 95% rule, the school will be labeled as a school that needs improvement, and therefore Title I funds are removed from that school.
- Students enrolled in the Special Education classes are students with mild to severe learning and/or physical disabilities. Special Education students may receive some aid when taking the test, but the schools are penalized by NCLB standards of participation. Special Education students must take the age appropriate test, with children with severe learning disabilities able to test at one grade lower than they are age appropriate, again with some penalty to the school by NCLB participation standards.
- The committee spoke to a Special Education teacher from a Yuba City School who has a child in her class with Down's syndrome. The child had to be tested at her age appropriate grade level when her mental capabilities were several grades lower. The teacher felt she should be teaching this child life skills rather than a curriculum on which the student would be tested. The teacher is dedicated to her students and wishes she could teach her students at a level appropriate to their level of learning and capabilities rather than to an arbitrary test.

- California's Academic Performance Index (API) reflects growth in student achievement from one year to the next. The NCLB requires 13.6 % of all students to score at the proficient level or higher in English-Language Arts, and 16 % to meet those benchmarks in Math. These benchmarks are called Average Yearly Progress (AYP). Starting next year, the proficiency requirements will rise exponentially and by 2014, 100 percent of the students nationwide must be proficient.
- California has one of the highest proficiency levels in the U.S. and in fact some states lowered their proficiency in order to not have their schools impacted financially.
- Schools that do not meet these levels will lose Title I monies which are meant to aid the disadvantaged students from low socioeconomic homes. Twenty percent (20%) of the monies from Title I funds will be held at the district level to aid parents who wish to have their children sent to other higher performing schools or for aid in tutoring students who do not meet the proficiency level. This part of the law has started a cottage industry of tutors because teachers at low performing schools can not tutor students in need of tutoring at the school at which they teach. The state approved tutoring usually involves a computer program with one tutor monitoring several students as they work at computers.
- Sutter County Schools has four (4) schools which by NCLB standards of AYP are under performing schools: Gray Avenue Middle School, Andros Karperos Middle School, Bridge Street Elementary School and Albert Powell Alternative School. Yet by the standards of the State measurement instrument, API, these schools are meeting their growth expectations.
- English Language Learners must take the California Standards Test (CST) after being in the country only one year. At all of the above schools, which are deemed Improvement Schools, the English Language Learners was the subgroup, which did not meet its benchmarks, and often that means only a few students who were not deemed proficient.
- The NCLB has a requirement that all high schools must meet to keep Title I funds. High schools are required to provide military recruiters with student home phone numbers and addresses. Recruiters also may have access to the high schools campus for recruiting purposes. This section of the NCLB overrides California Laws regarding privacy for students.

FINDINGS

The Education Committee in the investigation of Sutter County Schools has found that the teachers and students are endeavoring to improve student scores on the CST to meet the goals set by the NCLB. Yuba City Unified School District had 348 subgroups represented on the 2004 CST and of that number, 340 were proficient by NCLB Standards and eight (8) were not, resulting in four (4) schools being designated as under performing and therefore needing improvement. The benchmarks set by the NCLB increase exponentially and seem to set a very high bar for English Language Learners and Special Education Students with little flexibility. The Committee is dismayed at the emphasis and reliability on a single objective test to gauge the learning of Sutter County Students and that schools are considered "failing" when in some cases fewer than 5 students did not meet the proficiency standards in a subgroup. The CST is one measurement of student learning in Language Arts, Math and Science and while the data derived from the test is invaluable, it is still only one measurement of a student's ability at any given time.

Our investigations found that local educators believe the true measure of student and school performance is the ability to show growth and continual improvement. Under performing schools that are deemed *Improvement Schools* under the NCLB guidelines are not "failing" but need to improve. Procedures mandated by the State Department of Education are in place to provide help to these schools. Many schools throughout the State have requested NCLB be more flexible, especially in school districts with large populations of English Language Learners, Socioeconomic Disadvantaged and Special Education students.

RECOMMENDATIONS

The Education Committee of the Sutter County Grand Jury recommends that the schools in Sutter County, the Sutter County Education Department and the California State Department of Education continue to request more flexibility with respect to how *No Child Left Behind* is implemented in California schools.

GLOSSARY

API – Academic Performance Index

AYP – Average Yearly Progress

CST – California Standards Test

NCLB – *No Child Left Behind Act*

RESPONDENTS

Patrick Godwin, Yuba City Unified School District Superintendent

Jeff Holland, Sutter County Superintendent

Tom Pritchard, Live Oak Unified School District

California Department of Education

FIRE & EMERGENCY COMMITTEE

MERIDIAN FIRE PROTECTION DISTRICT

INTRODUCTION

The Grand Jury of 2003-04 recommended that the current Grand Jury Fire & Emergency Committee revisit the Meridian Fire Protection District to follow-up on several unresolved issues. The Fire & Emergency Committee met with Chief Jason Cooper on Saturday, October 23, 2004, at the Meridian Fire Protection District. They also met with the Board of Directors at a Grand Jury meeting on Wednesday, January 23, 2005 concerning the unresolved issues.

SUMMARY

The Fire & Emergency Committee looked into the following issues:

- The delivery of the new Type I Fire Truck.
- Status of Captain Cooper as a Volunteer Fire Chief, full time paid employee, and eligibility for a full time salary and entitlements.
- Appropriate means of selling municipal property
- The insurance of adequate and appropriate by-laws that are being followed.

FINDINGS

The New Type I fire truck was purchased and put into service on July 20, 2004. The truck is fully equipped and is now their first response vehicle. The Department has put 1,200 miles on the truck and logged 75 calls. The fire truck, which cost \$222,007, was purchased with a FEMA Grant, which covered 90% of the cost.

Jason Cooper was promoted to permanent Fire Chief on January 14, 2004. This is Chief Cooper's only job and is a full time position. He attended Yuba College Fireman Program and has been with the Department for eight years. He is the District's most highly trained and qualified fire fighter. Since Chief Cooper implemented the Cadet Program, there is one cadet and currently eleven volunteer Fire fighters.

At the time of the Fire & Emergency Committee visit, there was no written protocol for the release of municipal property. The only method of disposal was a verbal consensus of the Board of Directors. However, they have since implemented a policy of inviting sealed bids for publicized sale of surplus vehicles and equipment.

At the time the Board of Directors of the Meridian Fire Protection District met with the Full Grand Jury on January 23, 2005, they had not responded to the 2003-04 Grand Jury Report, nor did they have by-laws in place to define the operating procedures of the Board of Directors. The Board of Directors had decided to simply abide by the existing California Codes that govern bodies like the Meridian Fire Protection District. The Grand Jury Fire & Emergency Committee strongly recommended to them that they come up with their own by-laws to define who they are and how they operate their organization. The Fire & Emergency Committee presented them a copy of simple by-laws that they could edit to fit the needs of their organization, that way simple transactions that they perform could not be questioned. At the end of March 2005, the Board of Directors sent to the Grand Jury a "Resolution of Rules" in place of by-laws. Several items listed in the Resolution of Rules needs to be more specific, such as the month and date, or month and time. (i.e. officers will be elected on the 2nd Tuesday in November.)

RECOMMENDATIONS

- Specify in Resolution of Rules the specific month and meeting of the Board of Director Officer elections.
- Specify in Resolution of Rules the exact day and time of the Board meetings.
- Repair the broken, uneven concrete at the doorway leading from the main assembly area to the garage at the fire department.
- Paint the garage area of the fire department, which is visible from the street.

RESPONDENTS

Jason Cooper, Chief
Board of Directors, Meridian Fire Protection District

E Reports and Recommendations

- 27 The Chief/Secretary shall transmit all reports and recommendations, together with an agenda, by mail, to each member of the Board at least five (5) days prior to the scheduled meeting of the Governing Board, except as provided in paragraph 28 below. In lieu of this requirement, such motions may be transmitted by messenger at least 72 hours prior to the scheduled meeting.
- 28 Whenever it is necessary to submit any report or recommendation to the Board without meeting the requirements of paragraph 27 above, said report or recommendation must carry as part of its title, in addition to the regular number, the plainly typed phrase, "*Waiver of Provisions, Paragraph 27 of the Board Rules and Regulations, requested*."

F Discussions

- 29 Discussion of agenda items by person other than Board members shall be at the discretion of the Board and must be pursuant to recognition by the presiding officer. Ordinarily, a presentation by an individual or group shall be limited to 15 minutes, subject to extension in the discretion of the Board.

G Suspension and amendment of Rules and Regulations

- 30 The *Rules and Regulations of the Governing Board* may be amended at any regular meeting, or any special meeting, when properly placed on the agenda and approved by three (3) affirmative votes.

Governing Board Statement of Term and Qualifications

- A The term of service for a member of the Governing Board of the Meridian Fire Protection District shall be four years.
- B Applicants must own property within the Meridian Fire Protection District and reside within the Meridian Fire Protection District.
- C Applicants must be registered voters.



HEALTH, MENTAL HEALTH AND SOCIAL SERVICES COMMITTEE

CHILD PROTECTIVE SERVICES

INTRODUCTION

The members of the Health, Mental Health and Social Services Committee met on January 10, 2005 with Edward Smith, Director of Human Services Department. Also in attendance were Edward Fisher, Director of Sutter County Welfare and Social Services and William B. Ramsaur, Program Manager of Social Services. The members were given an over view of the Child Protective Service (CPS) of Sutter Country.

MISSION STATEMENT

“The Sutter County Human Services Department provides a client centered, culturally sensitive, outcome oriented, integrated, cost effective delivery of services. Staff of this department is committed to safeguarding the physical, emotional, and social well-being of others while promoting self-sufficiency and quality of life and health for those we serve.”

SUMMARY

Child Protective Services is mandated by the State of California to protect children under the age of emancipation when they are abused, abandoned or neglected. CPS carries out this mandate in several ways: referrals and emergency response. An assessment or investigation is made to determine if there is abuse or neglect present. It is the role of CPS to help assure that children are safe from harm and to assist parents and families in finding solutions to problems that may interfere with their child’s safety. At times this requires removal of the child to a home other than that of the parents. When a child is removed from the home because of an immediate danger, the social worker must file a sworn petition with Sutter County Dependency Court with two (2) working days.

REPORT

The Sutter County Department of Human Services (SCDHS) is designated by California law as the agency responsible for the protection of children who are abandoned, neglected or abused. That delegation of authority is dependent upon judicial review for most cases. CPS of Sutter County is given the duty to respond to reports of abuse or neglect and provide protective services when necessary, including the authority to take temporary or permanent custody of a child, pending review by the dependency court of Juvenile Court.

SCDHS authority to intervene in people’s families is given by California State Code and Federal Statutes. The Department must adhere strictly to the specific requirements of the statutes in providing protective services to children in need of such care. Laws governing Child Protective Services in California can be found in the Welfare and Institution Code.

Unless a child is in danger and cannot be protected in the home, the goal of CPS is to keep the family together. If a child is determined to be in immediate danger, the social worker may use the authority of emergency protective services to immediately remove the child from the dangerous situation. The child may be placed with extended family members when appropriate, or in a licensed foster home, group home or shelter. If there is risk of immediate danger to the child, a decision may be made to place the child in protective custody. If this is done, the social worker or social services supervisor must file a sworn petition with the Sutter County Dependency Court within two working days after the child’s removal from the home. The petition must state the reasons for the removal of the child.

FINDINGS

- There are 342 children in Sutter County who are under the control of Child Protective Services. These children are from approximately 70 Sutter County families.
- The figure of 342 represents long-term guardianship, foster homes and non-relative guardianship. There were 240 to 280 children in foster care at the time of this interview. In 2004, there were 26 children adopted, approximately two per month.
- Sutter County CPS intervenes in 1 percent of the children population of the county.
- When intervention is called for, the child is given dental, physical and mental health care. Two full time mental health therapists are employed.
- The budget for foster care is approximately \$4 million. Administrative costs, including 38 positions, are approximately \$4-5 million.
- There are six (6) emergency response workers; four (4) mixed emergency response and regular workers and eleven (11) regular social workers.
- Each social worker has approximately 18-20 children under his or her supervision at any given time.
- Funding comes from the Federal, State and County budgets.
- Families whose children are in foster care are charged a fee by the county for the length of time that the children are in foster care.

RECOMMENDATIONS

None

RESPONDENTS

Edmund Smith, Director of Sutter County Human Services,
Edward A Fisher, Director of Sutter County Welfare and Social Services,
William B. Ramsaur, Program Manager of Social Services.

HEALTH, MENTAL HEALTH AND SOCIAL SERVICES COMMITTEE

HUMAN SERVICES

INTRODUCTION

Members of the Health, Mental Health and Social Services Committee met with Human Services Director Edmund Smith and Joan Hoss of the Mental Health Department on 11/22/04. They were cooperative and very forthcoming with information and provided the committee with an overview of the broad range of services and facilities that are under the umbrella of Human Services, Mental Health and Social Services.

MISSION STATEMENT

“The Sutter County Human Service Department provides a client centered, culturally sensitive, outcome oriented, integrated, cost effective delivery of services. Staff of this department is committed to safeguarding the physical, emotional and social well-being of others while promoting self-sufficiency and quality of life and health for those we serve.”

SUMMARY

The Sutter County Human Service Department is a broad umbrella of services under which fall many programs for Sutter County citizens and indeed some Yuba County citizens as in the case of the Mental Health Department, which serves both Sutter and Yuba Counties. The Human Services Department provides a broad range of client services. It is estimated that approximately one third of all Sutter County citizens use the services of the Human Service Department.

REPORT

PUBLIC HEALTH AND CLINICAL SERVICES DIVISION

Administration

- Vital Statistics
- Birth and Death Certificates
- Clerical assistance with Healthy Families
- Jail Medical Services

Outpatient Clinic

- Medical care for adults and children (acute and chronic)
- Physicals: DMV, Immigration, sports, etc.
- Well-child and infant checkups
- Family Planning/Women's Health
- Prenatal Clinic (Medi-Cal Comprehensive Perinatal Services Program)
- Immunizations
- HIV/AIDS Counseling and Testing

Public Health Laboratory

- Infectious disease testing
- Community well water testing
- Rabies testing

Public Health Nursing

- Communicable Disease Control
- Immunization Program
- CHDP (Child Health and Disability Prevention Program)
- Special Babies Program
- MCH (Maternal and Child Health Program)
- Prenatal Care Guidance (PGG)
- CCS (California Children Services)
- Child Development Behavioral Specialist

WIC (Women, Infants and Children) For income eligible

- Pregnant women
- Postpartum or breastfeeding women
- Infants and children at nutritional risk age 5 and under

Health Education Programs

- HIV/AIDS – Prevention and education
- Tobacco Program
- Lead Poisoning Prevention

MENTAL HEALTH (Bi-County)

Psychiatric services are provided to individuals and families from Yuba and Sutter Counties who are experiencing serious or ongoing mental health problems.

Psychiatric Emergency Services

- Emergency services are available 24 hours a day.
- Emergency services are available without cost to the user.

Inpatient Services

- Acute psychiatric inpatient care for individuals over the age of 18 whose symptoms are so severe that outpatient treatments are unsafe or inadvisable.

Outpatient Treatment

- Individual therapy, group therapy, family therapy, parent information/education and medication are available for youth.
- Day Treatment for adolescents and children
- Day Treatment for adults

Children's System of Care (CSOC)

- CSOC coordinates the efforts of several county agencies including Probation, Child Protective Services, the schools and Mental Health.

Homeless Mentally Ill

- A day center operated by the Salvation Army.

Alcohol and Drug Program

- The Alcohol and Drug Program provides a wide continuum of care for clients through the *Options for Change* and *First Steps* treatment programs.

FINDINGS.

- Mental Health funding comes from a variety of sources such as sales tax, DMV taxes, and the Sutter County Budget. Health and Mental Health also receive funding from Medi-Cal and other sources. There is a Bi-County allocation of monies dependent on the populations of Yuba and Sutter Counties and the degree of poverty. There is more use by Yuba County residents, but the funding is closely balanced.
- Substance abuse programs are offered through the Mental Health Department and some programs are contracted to private agencies such as Pathways.
- An adolescent substance abuse program has just begun through the Mental Health Department. It designed for adolescents who are not yet addicted, but are experimenting and beginning to have problems functioning.
- A pre-natal substance abuse program is in place through the Mental Health Department. A violence prevention program also is in place.

- Child Protective Services (CPS) funding comes mostly from the State with approximately 15-18% coming from Sutter County. 240 children are in foster care, group homes, residential care or fostered to family members.
- The Health Department provides birth control information and dispenses birth control methods for both men and women. Condoms are dispensed to help control sexually transmitted diseases.
- Hepatitis C is a problem as is Tuberculosis.
- The County Health Department has received 800 doses of the Flu Vaccine and will provide shots to those who are the most vulnerable, such as the elderly and infants.
- The Employment Services Division is administered by the Welfare Department and has approximately 600 clients in the Welfare to Work Program through the County Education and Training Center (CTEC).
- WIC (Women, Infants and Children) is funded by the Agriculture Department and administered by the Health Department.
- 23,000 citizens of Sutter County receive service from some agency within the Human Service Department.
- The Human Services Department has a staff of 400.
- 20 % of Sutter County citizens are seen every day by some agency within the Human Services Department.
- The Human Services Department has contracts with other agencies amounting to \$400,000 each fiscal year.

RECOMMENDATIONS

- As the County grows, with a projected population increase to nearly double by 2050, the Mental Health in-patient bed census will need to grow with the County.
- Adult Services will need more in-home services as the population ages.
- More Bi-County agencies would eliminate needless duplication of services.
- A needless delay in completing the yearly Sutter County Budget causes the Mental Health Department to maintain a reserve to cover expenditures. We recommend the County create an on-time budget.

RESPONDENTS:

Edmund Smith, Director, Sutter County Human Services Department
 Joan Hoss, Director, Bi-County Mental Health Department

HEALTH, MENTAL HEALTH AND SOCIAL SERVICES COMMITTEE

SUTTER-YUBA MENTAL HEALTH SERVICES

INTRODUCTION

Members of the Health, Mental Health and Social Services Committee of the Sutter County Grand Jury conducted an on-site inspection of the Sutter-Yuba Mental Health Services Facility on November 10, 2004.

The Committee met with the Director of Mental Health, Joan Hoss, and members of her staff. Director Hoss provided a tour of the facility and discussed services provided by the Department with the Committee.

SUMMARY

Director Hoss revealed to the Committee the variety of different programs and services that are available to the Sutter-Yuba community. Sutter-Yuba Mental Health Services (SYMHS) provides an array of mental health services to clients and their families. SYMHS has an outpatient and inpatient care facility, a crisis clinic, and a crisis hotline available 24 hours a day, seven days a week. It also provides private consultations, and drug abuse information. Mental Health maintains contracts with various community organizations that also offer services to the Bi-County population.

REPORT

- Psychiatric Emergency Services-24 hours/day, 7 days/week
Evaluates and assists individuals who are experiencing severe emotional distress or acute problems related to psychiatric disabilities.
- Inpatients Services-24 hours/day
Provides acute psychiatric inpatient care for individuals over the age of 18 whose symptoms are so severe that outpatient treatments are unsafe or inadvisable.
- Outpatient Treatment
Provides service for adults who may need individual therapy, group therapy, family therapy, patient information/education or medication.
- Day Treatment
Sponsors children and adolescent day treatment programs in conjunction with school emotionally disturbed classrooms. For adults, treatment is delivered in structured groups with focus on cognitive skills, social skills, medication management, education on psychiatric disabilities and prevocational skills.
- Children's System of Care
CSC coordinates the efforts of several County Agencies including Probation, Child Protective Services, Schools, and Mental Health to provide a single plan for intensive services, in the most natural and least restrictive setting possible.

- Community Support Services
Intervention counselors act as resource specialists for adults and children with serious psychiatric disabilities who live independently or in family care homes, and require follow up care.
- Alcohol and Drug Programs
Provide a wide continuum of care for clients through the Options for Change, First Step and SMART Programs.
 - Options for Change services are provided after a full assessment of each person. Various treatment plans are available.
 - First Steps is a nine-month prenatal treatment designed to help women to become free from chemical dependency.
 - START (Substance Abuse Treatment and Recovery Tools) is a program to assist youth in developing ways to reduce or eliminate drug and alcohol use and other associated problems during their adolescent years, and to help them deal with life problems.
- Adult Education/Socialization
A variety of classes in arts, crafts, and socialization for adults with serious psychiatric disabilities are available.

DISCUSSION

Some of the challenges that have faced the Mental Health Board this year include:

1. Budget cutbacks.
2. Increased demand for services.

3. Difficulty recruiting qualified staff.
 4. Lack of affordable housing in the community for those with psychiatric disabilities.
 5. Community awareness of services, decreasing stigma of mental health illness.
- The requested net expenditure for the combined mental health/drug and alcohol budget for FY 2004-2005 is \$20,198,755. This is a decrease of \$1,394,507 from FY 2003-2004 adopted budget.
 - The remodeling/refurbishing portion of the Mental Health Building includes the CSS Day Treatment, business and administrative offices, reception, medical records, and adult outpatient area.
 - The next phase of remodeling will be the psychiatric emergency facility, which is expected to begin in the Fall 2004. Further plans in 2005 call for the paving of the existing gravel parking lot.
 - Patient visits for FY2003-2004 equaled 77,069 visits of total billable services. Non-billable outpatient services included the psychiatric talk line that had 8,585 visits and 1,790 emergencies drop-ins for a combined total of 87,444 visits.

FINDINGS

The Sutter-Yuba Mental Health Services appears to be a well-maintained operation and is administered by an extremely qualified and competent staff. The Department provides an abundance of professional quality services.

RECOMMENDATIONS

Complete the remodeling phase of the psychiatric emergency facility and the paving of the gravel parking lot.

RESPONDENTS

Director Joan Hoss, Sutter-Yuba Mental Health Services

HEALTH, MENTAL HEALTH AND SOCIAL SERVICES COMMITTEE

FREMONT-RIDEOUT HEALTH GROUP

INTRODUCTION

Sutter County Grand Jury Health, Mental Health and Social Services Committee members met with Thomas Hayes, Chief Executive officer of Fremont-Rideout Health Group (FRHG), on March 2, 2005.

SUMMARY

Several important issues were discussed which directly effect the quality of service provided residents of the Yuba-Sutter area.

Some of the topics discussed were:

- Rideout Emergency Room (ER)
- Inpatient care at both Fremont and Rideout Hospitals
- Staffing (especially nurses)
- Plans and projections for health needs of the area as they pertain to FRHG

REPORT

FRHG is a non-profit medical corporation. The group currently operates Fremont and Rideout Hospitals, The Courtyard and The Fountains (Nursing Homes), The Alzheimer's Unit, and Gridley-Biggs Hospital. Their mission is to provide quality healthcare, using the most current, up to date medical procedures and equipment to serve the communities' needs.

FINDINGS

Fremont Hospital provides 85 inpatient beds and operates the only maternity ward in Yuba and Sutter Counties.

Rideout Hospital provides 100 inpatient beds and operates the area's only ER. Approximately 3500 patients are seen in the ER monthly. Although exact numbers were not provided, it is estimated that only 30 % are truly emergencies. Due to excessive patient loads, occasionally ER has to be closed for a period of time, and patients are diverted to Chico or Sacramento area hospitals. While these situations do not occur on a regular basis, the ER was closed at least four times in February 2005. It was pointed out that closures are related somewhat to seasonal patterns such as winter flu seasons or summer outdoors activities. Two physicians staff the ER 18 hours per day, 7 days per week.

Current California law requires a nurse to patient ratio of one to six. That ratio has been lowered to one to five, but that requirement has been put on hold by the Governor's office due to a statewide shortage of 50,000 nurses. Nurses are currently caring for patients at a one to six ratio until this issue is settled through the courts.

Staffing (especially in nursing) appears to be the major obstacle in solving the problems of delayed admission and overcrowding in both Hospitals on occasion. Both Hospitals are licensed for more patients and have the necessary room to expand, but despite extensive recruiting efforts and the offer of scholarships to existing staff members, lack the staff to accomplish either.

DISCUSSION

FRHG appears to be well organized and seeks to provide the best care possible to residents of Yuba and Sutter Counties. While 60% of their total budget is for staffing, this area remains the obstacle for their desire to expand. At various times, the ER and inpatient Hospital Care are overloaded. Plans for an Urgent Care type facility have been approved, and this facility should be operational sometime in the near future. With the ability to care for non-emergency cases in the Urgent Care Clinic, the overload in the ER should be lightened substantially.

Room rates and day-to-day charges are usually lower than most in the surrounding areas, and on the bottom for comparable hospitals. Private insurance provides for only 15% to 20% of the total income while Medicare represents approximately 50 % and MediCal represents 25% of the total income. Medicare pays approximately 40% of the total expenses, and MediCal only covers 20% of the expenses. Private source insurances carriers have reduced their allowable payments to hospitals.

Future plans for expansion to keep up with area population growth are limited by the availability of qualified staff, and the decreasing income due to source of payment. FRHG has established a good working relationship with University of California Medical Center/Davis and has an active patient referral program in various areas of patient care.

RECOMMENDATIONS

FRHG should continue their efforts to increase staffing and to expand operations to accommodate our fast growing population. Opening of the Urgent Care Clinic should remain a priority to help solve the ER overload situation. FRHG doesn't currently receive Grant Funds from any sources. It is recommended that they pursue information regarding this source of funds to allow for future expansion.

RESPONDENTS

Thomas Hayes, Chief Executive Officer, The Fremont-Rideout Medical Group

PLANNING AND ENVIRONMENT COMMITTEE

YUBA CITY WATER TREATMENT PLANT

INTRODUCTION

On 10-20-04, members of the Planning and Environment Committee and the Fire and Safety Committee met with Bill Lewis and Jim Thorpe to tour the Yuba City Water Treatment Plant located on Live Oak Blvd. The purpose of the visit was to investigate whether any disaster planning had been developed and implemented for the Water Treatment Plant. The Vulnerability Report, required by the State of California, was not provided for our review. Apparently, President Bush has declared that the Vulnerability Report is not a public document.

SUMMARY

This facility was built in 1969, and will be expanded next year. It appears to be well run, but there are some apparent security issues. The mission of this facility is to provide water for domestic use for the entire population of Yuba City. Access to the Plant should be limited to only those people who have a need to be there. Perimeter fencing should be reinforced particularly as private residences' yards share fencing with the Water Treatment Plant. Poisonous chemicals should be kept in more secure storage, and more security alarms are needed.

REPORT

After the tour, we met with Bill Lewis to discuss disaster planning. The meeting started well with Mr. Lewis answering our questions until we came to the issue of the vulnerability report required by the State. Mr. Lewis reported that the report had been filed on time in June of this year. He stated that he could not discuss the contents with us.

DISCUSSION

Our meeting provided the following information:

1. There are Federal and State Guidelines for Disaster Planning relative to domestic water protection.
2. The guidelines for Disaster Planning for domestic water protection are provided by the State, and the City is following these requirements. We did learn that there are alarms installed in some unnamed areas to notify if there

is a problem. The water is tested continuously and if anything improper is detected, the water flow is stopped. There is sufficient water in safe storage to provide the residents with water for some time.

3. Yuba City's vulnerability report has been filed as required. Mr. Lewis would not discuss either the contents of the report, or if there were any ways to reduce any weaknesses in the current plan to protect the water.
4. The water for Yuba City comes from the Feather River so there is a limit on how Yuba City can protect the whole river. The water intake is just opposite the Water Treatment Plant.
5. The assumption is that there is no risk of contamination of the river because of the volume and the rate of the water flow. Once the water enters the Water Treatment Plant, chlorine is used to take care of contaminants such as bacteria. Carbon is used to filter for odor and taste contaminants.
6. Some areas in Yuba City are served by wells that were previously owned by Hillcrest Water District. The City is developing new water systems to replace these wells. Residents may elect to continue to use their own wells.
7. There are plans to expand the facility, and construction will start in 2005 at a cost of \$45 million dollars. The current facility pumps 24 million gallons of water each day, but the expansion will double the output to 48 million gallons per day.
8. In case of flood, the motors that operate the facility can be pulled to the roof and fuel can be provided by helicopter to keep the Plant operating. The Plant also can be operated using the Internet in an emergency.
9. The Plant operates 24 hours a day, seven days a week. There are 15 employees, six of whom work in the laboratory. Five more people will be hired when the expansion is completed.
10. The Plant has sufficient financial reserves, and is operated using water fees only. The growth of the City is paying for the new plant construction.
11. All new housing will have metered water service. Initially, the developers will pay the costs of hooking up to the Plant. The current cost is \$6,600 per new home.
12. The Plant is inspected annually by the State Health Services,
13. If there is a problem, the staff contacts the fire department connected to the Offices of Emergency Services.

FINDINGS

We had several concerns including open gates that are not monitored and which allow anyone access to the facility. There did not seem to be a logical reason for the public to have access to the plant as the offices for payment of bills or request for services are located elsewhere.

There is no evidence of any security installation such as cameras, or alarms.

There were several pallets with large barrels of chlorine that were just sitting in the open. It was in an area that could not be readily monitored. No signs were posted to indicate that the chemicals were dangerous. In fact, members of the committees went over to check out the barrels but no member of the staff came to see what they were doing.

Some of the exterior fencing abuts private residences' yards. Some of the fencing abuts open land which extends for some distance and which has trees and other sources of cover.

RECOMMENDATIONS

1. Limit access to the facility.
2. Secure chemicals upon delivery.
3. Install an obvious security system, which might deter thrill seeking teenagers, etc.
4. Make perimeter fencing non-climbable and consider blocking view of neighbors.

RESPONDENTS

Bill Lewis, Water Treatment Plant Manager
Yuba City Manager
Yuba City Councilmen

CITIZEN'S COMPLAINT

BOARD OF SUPERVISORS

INTRODUCTION

The Board of Supervisors consists of elected officials from five Districts. They are elected by the taxpayers to run the County in a professional manner, and to see that the County stays solvent. They perform some of their activities during both public meetings and closed sessions. Each supervisor also sits on a number of sub-committees that may include department heads and other employees of the County Departments.

SUMMARY

The Grand Jury discovered that by implementing Team Sutter, with all employees as well as the Board of Supervisors acting in a professional manner, we could restore Sutter County back to a smooth running county.

REPORT

The manner in which the Board of Supervisors conduct themselves during the weekly public meetings at times has not shown a degree of professionalism, but considering the attack that they must endure from the public, who have little or no knowledge of the entire issue is uncalled for. In view of the position that they hold, the Board of Supervisors should be able to handle criticism in a more tactful manner.

The manner in which the Consent Calendar is handled is in fact the proper way of doing it. Items that appear on the Consent Calendar generally are:

- Routine, reoccurring events (contract renewals, routing agreements, grant renewals, etc.)
- Those items determined by a Board Committee and/or the County Administrative Officer to be of minor significance, or so routine that they don't need to be discussed at a Board meeting, unless someone specifically desires to do so.
- Items considered non-controversial, or for which prior policy direction has been given to staff.

- Items that Board members have already been fully advised of and have discussed in detail, particularly items that have been discussed in study sessions prior to Board meetings, or in closed sessions (legal settlements and other).

Note: Full staff reports are prepared on Consent Items. Persons interested in speaking on items on the Consent Calendar can come to the Board of Supervisors meeting before 7 o'clock on Tuesday evenings and request that an item be removed from the Calendar and added to the agenda. Discussing every item on the Calendar would cause the meetings to last longer than they do now.

The Board of Supervisors meetings have other types of agenda items, especially items that are requested by the public or a member of the Board to be discussed, or those items that are presented by agencies outside of Sutter County Government.

FINDINGS

The Sutter County Grand Jury 2004-2005 has attended all Board of Supervisors meetings this term. The Board of Supervisors meetings are held every Tuesday at 7 pm. We have seen first hand how the Supervisors conduct themselves and how the public reacts. We have seen a tremendous amount of public attack over the issues brought up by the Auditor-Controller's Office. We have all read the Appeal Democrat's reports. If the public would carefully read the agenda and supporting documents before the meetings, maybe these public outbursts would not be necessary. The use of the consent calendar keeps time open for the more controversial items.

RECOMMENDATIONS

- We, the 2004-2005 Sutter Grand Jury, recommend that the Board of Supervisors, Sutter County Department Heads and/or employees, and the public attending the Board of Supervisors Meetings act in a professional manner. Keep the harsh words and name calling out of the Board Meeting. Use the Board agenda in the proper manner. Follow the proper rules pertaining to having items removed from the Consent Calendar and put on the meeting agenda. Restore the Team Sutter back into the Board of Supervisors Meetings and the entire Sutter County. We feel that by implementing Team Sutter, we can again have a smooth running Sutter County.
- The Board of Supervisors should create a position of Sergeant-of-Arms and appoint an employee to this position who will attend and keep order at each Board Meeting.

RESPONDENTS

Board of Supervisors
Larry Combs, Sutter County Administrator
Robert Stark, Auditor-Controller